

MINUTES of the meeting of the **BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE COMMITTEE** held at 11.30 am on 28 September 2017 at Mezzanine 2, County Hall, Aylesbury, HP20 1UA.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 29 March 2018.

Elected Members:

- * Ms Denise Turner-Stewart (Co-Chairman)
- * Noel Brown (Co-Chairman)
- * Richard Walsh (non-voting)
- * Anne Wight (non-voting)

*= In attendance

In attendance

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Amanda Poole, Deputy Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Phil Dart, Service Director for Communities, Buckinghamshire County Council

Andy Tink, Senior Principal Accountant, Surrey County Council

Michele Manson, Business Development Manager, Surrey County Council

12/17 APOLOGIES FOR ABSENCE [Item 1]

No apologies were received.

13/17 MINUTES OF THE PREVIOUS MEETING, 29 MARCH 2017 [Item 2]

The minutes were agreed as a true record of the meeting.

14/17 DECLARATIONS OF INTEREST [Item 3]

There were none.

15/17 PROCEDURAL ITEMS [Item 4]

16/17 MEMBERS' QUESTIONS [Item 4a]

There were none.

17/17 PUBLIC QUESTIONS [Item 4b]

There were none.

18/17 PETITIONS [Item 5]

There were none.

19/17 FORWARD WORK PROGRAMME [Item 6]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Amanda Poole, Deputy Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Phil Dart, Service Director for Communities, Buckinghamshire County Council

Key points from the discussion:

1. Officers informed Members that an item relating to the 'Implications of Brexit with regard to Trading Standards' would be considered at the Surrey County Council Communities Select Committee in 2018. Members were asked to confirm if the report should first be considered and noted by the Trading Standards Joint Committee. After some discussion it was agreed that it would be beneficial for the item to be considered at the private Trading Standards Board meeting.
2. The Committee discussed the potential for promoting public engagement within the Committee. It was stated that using social media in order to identify areas of concern would be beneficial as these concerns could then be considered by the Committee. The Committee further discussed committee promotion where it was noted that the work of the Trading Standards service would be highlighted on national television shortly, including in an episode BBC Rip Off Britain.
3. It was noted that an informal Board meeting would be held in early 2018 to discuss the joint service budget setting.

Actions/ further information to be provided:

1. A8/17 – To consider new ways of promoting public engagement with the Committee.

RESOLVED;

That the Buckinghamshire County Council and Surrey County Joint Trading Standards Service Committee reviewed and agreed the Committee's Forward Work Programme.

20/17 ACTION REVIEW [Item 7]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Amanda Poole, Deputy Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Phil Dart, Service Director for Communities, Buckinghamshire County Council

Key points from the discussion:

1. The Committee were informed that there were three outstanding actions in the Actions Tracker. In regards to Action ref A2/17, a briefing had been provided within Annex 1 of the 'Performance and Joint Service Budget Review' report.
2. In regards to Action ref A3/17, a verbal update was provided to the Committee which stated that there had been little progress since the last meeting. Members noted that Public Health would be leading on the implication of the Workplace Wellbeing Tracker.
3. In regards to Action ref A4/17, the Committee further confirmed that a letter should be sent to the Surrey and Thames Valley Police and Crime Commissioners highlighting the work being done by Trading Standards to prevent crime and disorder.
4. The Committee noted the recent implementation of the Actions Tracker and asked that it be more detailed when outlining responses, specifically requesting that the date of expected response to actions be included in the tracker.

RESOLVED;

That the Buckinghamshire County Council and Surrey County Joint Trading Standards Service Committee review and agree the Committee's Actions Tracker.

21/17 ENFORCEMENT POLICY [Item 8]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Amanda Poole, Deputy Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Phil Dart, Service Director for Communities, Buckinghamshire County Council

Key points from the discussion:

1. The Committee noted the report, which highlighted the need for an updated Enforcement Policy for use by the Buckinghamshire and Surrey Trading Standards Service. It was stated that central government had introduced alternative methods to deal with non-compliance with legislation. The implementation of the outlined amendment to the Enforcement Policy would allow the Service to use the full extent of existing legislation, including the use of financial penalties in appropriate circumstances.
2. A Member of the Committee highlighted the amended wording in the Enforcement Policy and ask that it be altered from “**may** issue financial penalties to offenders” to “**can** issue financial penalties to offenders” which the Committee agreed.
3. Officers confirmed to Members the process for issuing financial penalties.
4. It was explained to Members that the enforcement policy would be available on the Trading Standards website.

Actions/ further information to be provided:

Action Ref A5/17 – To amend the wording within the Enforcement Policy from “may issue financial penalties to offenders” to “can issue financial penalties to offenders”

RESOLVED:

It was agreed that the Trading Standards Joint Committee endorses the amended Enforcement Policy as attached as Annex 1 of the report

22/17 PERFORMANCE AND JOINT SERVICE BUDGET REVIEW [Item 9]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Amanda Poole, Deputy Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Phil Dart, Service Director for Communities, Buckinghamshire County Council

Andy Tink, Senior Principal Accountant, Surrey County Council

Key points from the discussion:

1. Officers introduced the report and provided a summary for each Key Performance Indicator (KPI) which was outlined in the report. Members noted that although this report covered the entirety of the

previous financial year, future updates would be six monthly. It was further noted that the National Audit Office had stated that the absence of national KPIs for Trading Standards was not optimal and that the Association of Chief Trading Standards Officers were in the process of looking into the development of national KPIs.

2. In regards to KPI 7, a discussion was had relating to partnership working with residents at 'street level' in order to provide community care and protection to the most venerable. Members said this was significant benefit to residents and should be explored further.
3. A Member of the Committee raised a query relating to registrars' information (i.e. births and deaths) and if this would be shared with Trading Standards. Officers stated that there was a national scheme titled 'Tell Us Once' which aimed to share this information with the appropriate services, but this information could not be shared with Trading Standard without consent.
4. Members of the Committee discussed the work being done to alleviate the issue of Modern Slavery in Buckinghamshire and asked what equivalent services were in place in Surrey. Further discussion was had where it was confirmed that Trading Standards Officers were alert to identify potential cases, but did not work specifically with prevention. However, it was noted that officers worked closely with Community Safety Teams and the police to ensure that instances that were suspected were dealt with appropriately.
5. Members questioned whether it was possible to separate the individual KPIs to identify the difference between Surrey and Buckinghamshire County Council. Officers stated that although it would be possible for some figures, it would not be appropriate to separate the indicators in most cases.
6. Officers confirmed that, as of August 2017, there had been a projected service budget underspend of approximately 2%. It was further confirmed that the service were on track to meet the target savings of 27% which was outlined in Annex 2 of the report. The retention of staff was said to be a challenge and had partially lead to the savings within the service. It was also noted that, as a result of the challenge in staff retention, that there was a possibility that potential income from the service was also lower.
7. Members requested that the Cabinet of both authorities work to safeguard funding for the joint service budget. The Cabinet Members of both authorities noted that the authorities were facing acute financial pressures. A further budget discussion would take place at the next Board meeting where the financial pressures for 18/19 would be clearer.
8. Members thanked Officers for the work they had done to meet each KPI.

Actions/ further information to be provided:

A6/17 - That the service provide a budget report relating to any contingencies for potential savings proposals within the service.

RESOLVED:

The Trading Standards Joint Committee agreed to:

1. Note the service's performance

2. Note the service's current financial position.

23/17 TRADING STANDARDS TOBACCO WORK [Item 10]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards, Surrey County Council

Key points from the discussion:

1. The Committee noted the details outlined in the report.
2. A Member of the committee raised concern with the occurrences of tobacco counterfeiting within their local area.

Actions/ further information to be provided:

None.

RESOLVED:

The Trading Standards Joint Committee considered the report as a reflection of activity over the financial year 2016 – 2017 and considered enforcement activities which may be undertaken in 2017 – 2018.

24/17 SERVICES TO BUSINESSES [Item 11]

Declarations of interest:

None

Witnesses:

Michele Manson, Business Development Manager, Surrey County Council

Key points from the discussion:

1. The Committee received a briefing on the services provided to businesses by Trading Standards. Various updates were noted including that a new e-learning package had been developed and was now live and available for purchase. It was said that a significant aim was to improve links between Trading Standards and new businesses in order to both provide support and to generate new income. It was highlighted that income from business partnerships was not guaranteed to be long term due to contracts being renewed annually. Members noted further services provided by Trading Standards, this included details of a dedicated business advice line.
2. Members sought clarification on what the dedicated staff budget was for the services that were previously outlined. Officers believed it to be around 25% of the Trading Standards budget but could not confirm the exact amount. It was agreed for this information to be circulated after

the meeting. It was further asked if the staffing budget exceeded the income generated from the provided services.

3. Members referenced the risk management details within paragraph 7.0 of the report and asked that they be taking into account when considering future budget arrangements.

Actions/ further information to be provided:

A7/17 – For information to be circulated on the budget for Trading Standards staff that provide services to businesses.

RESOLVED:

The Trading Standards Joint Committee agreed to:

1. cease offering the Home Authority service to new customers.
2. endorsed the range of business services currently offered by the Service.

25/17 TRADING STANDARDS SCAMS WORK [Item 12]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Amanda Poole, Deputy Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Phil Dart, Service Director for Communities, Buckinghamshire County Council

Key points from the discussion:

1. Officers introduced the item and explained that the report outlined a wide range of ongoing approaches, interventions, and partnerships which were carried out by Trading Standards in order to support victims and bring perpetrators to justice. It was highlighted that 1 in 10 door step victims and 1 in 20 scam victims were known by Trading Standards. These figures were said to increase as Trading Standards meets its goal to reach out to more victims of scams. It was further noted that an introduced scam call blocker was currently efficient and had so far blocked over 47,000 scam calls.
2. A Member asked if it would be possible to defend against scams by using banks to restrict payments to scammers before they are made. Officers stated that the National Scams Team were currently looking into the development of a deferred payment system which would have the ability to offer further protection from scammers, but that there were many implications that would need to be considered as part of this work.

3. A discussion was had regarding how the Trading Standards service balances its resource allocation between preventing scams and other Trading Standards services. It was said that resource allocation was continuously under review and would therefore change if new services were required. It was noted that scams protection was not a statutory requirement so officers would continue to ensure that resources were balanced appropriately.
4. The Committee suggested that further conversations were had with District / Borough Councils to explore the opportunity for partnership work.

Actions/ further information to be provided:

None.

RESOLVED:

It was agreed that the Trading Standards Joint Committee:

1. note the work carried out relating to scams
2. Consider how the service can increase its impact in protecting residents and tackling scams.

26/17 DATE OF THE NEXT MEETING [Item 13]

The Committee noted that its next meeting will be held on 29 March 2018.

Meeting ended at: 2.05 pm

Chairman